REMARKS

The amendment to paragraph [0036] of the specification is supported by claim 10 as originally filed.

OK

The Examiner stated that "claim 18 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims." Additionally, the Examiner objected to claim 21 "as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims."

Applicants gratefully acknowledge the Examiner's indication of allowable subject matter.

The Examiner rejected claims 3, 8, and 11 under 35 U.S.C. §112, first paragraph.

The Examiner rejected claims 1-11 and 15-23 under 35 U.S.C. §112, second paragraph.

The Examiner rejected claim 15 under 35 U.S.C. §102(e) as being anticipated by Berlin et al.

The Examiner rejected claims 16 and 20 under 35 U.S.C. §103(a) as being unpatentable over Berlin et al.

Applicants respectfully traverse the §112, §102 and §103 rejections with the following arguments.

35 U.S.C. §112, Second Paragraph

The Examiner rejected claims 1-11 and 15-23 under 35 U.S.C. §112, second paragraph.

The Examiner alleged: "Claim 1, lines 6, 7, claim 15, lines 5-6, the phrase "edges portions" is unclear. It is believed that the phrase is being referred to "edge portions" of an intersection perimeter." In response, Applicants that that meaning of "edge portions" is clear from the following feature of claim 1: "wherein the first conductor has an intersection perimeter that comprises edges portions of the first conductor". For example, FIG. 2A shows that conductor 12 has two outer edges oriented vertically, namely a left edge and a right edge. FIG. 2A also shows that the left and right edges of the conductor 12 comprise the intersection perimeter 20. Therefore, conductor 12 has an intersection perimeter 20 that comprises edge portions (i.e., portions of the left and right edges) of the conductor 12, which tracks the language of claim 1. Accordingly, Applicants respectfully that the preceding rejection of claim 1 under 35 U.S.C. §112, second paragraph be withdrawn.

In rejecting claims 1 and 18, the Examiner sugggest replacing the phrase "is more likely to" with "should" in claims 1 and 18. In response, Applicants have amended claims 1 and 18 to adopt the preceding suggestion by the Examiner. In addition, Applicants have insered "rather" immediately preceding "than elsewhere" in order to make amended claims 1 and 18 grammatically correct. Accordingly, Applicants respectfully that the preceding rejection of claims 1 and 18 under 35 U.S.C. §112, second paragraph be withdrawn.

The Examiner alleged: Claim 17, lines 1-3, the phrase "doping the second conductor to form a doped region in the first conductor, wherein the doped region is more highly doped directly beneath the edge perimeter than elsewhere beneath the first conductor" is unclear. Claim 15, the

parent claim of claim 17, discloses the first conductor is positioned above the second conductor. Therefore, it is unclear how doping the second conductor to form a doped region in the first conductor. It is believed that doping the first conductor to form a doped region in the second conductor and the doped region is more highly doped in the second conductor than elsewhere beneath the first conductor". In response, Applicants have amended claim 17 to clarify the invention.

Stantial equality 35 U.S.C. §112, First Paragraph

The Examiner rejected claims 3, 8, and 11 under 35 U.S.C. §112, first paragraph.

The Examiner alleged that "[t]he specification (paragraph [0027]) discloses the areas of the well not covered by the gate may be implanted to N+ and the area under the gate comprises N level only. The specification never discloses the doped region is more highly doped directly beneath the edge perimeter than elsewhere beneath the first conductor as claimed in claim 3." In response, Applicants respectfully contend that claim 3 is supported in lines 9-12 of paragraph [0025] of the specification which recites: "An antifuse is most likely to program at the **intersection perimeter** because of the increased electric field due to the thinned oxide that separates gate conductor 12 and active area 14, and the high current capability due to the **increased dopant level**" (emphasis added).

OK

The Examiner alleged that "[t]he specification never discloses each finger of the first plurality of fingers has essentially a same width in a second direction that is essentially perpendicular to the first direction as claimed in claim 8." In response, Applicants respectfully contend that claim 8 is supported in the last sentence of amended paragraph [0036] which recites: "The fingers 26 or the fingers 22 may have a width substantially equal to a **minimum feature size**" (emphasis added). Applicants maintain that if fingers 26 or fingers 22 have a width substantially equal to a minimum feature size (i.e., a single number or a constant), then said fingers 26 or fingers 22 must necessarily have substantially the same width.

OK

The Examiner alleged that "[t]he specification never discloses the second width of the second finger is unequal to the first width of the first finger as claimed in claim 11." In response, Applicants respectfully contend that amended claim 11 is supported in lines 12-13 of paragraph

[0030] of the specification which recites: "Each finger 22 has a finger width, which **in one embodiment** is substantially the same for each finger 22" (emphasis added). Applicants contend that since the subtantial equality of the finger 22 widths is limited to "one embodiment", it logically or inherently follows that the subtantial equality of the finger 22 widths is not a general characteristic of all embodiments of the present invention, which supports amended claim 11.

not OK

35 U.S.C. §102(e) and 35 U.S.C. §103(a)

The Examiner rejected claim 15 under 35 U.S.C. §102(e) as being anticipated by Bertin et al., and the Examiner rejected claims 16 and 20 under 35 U.S.C. §103(a) as being unpatentable over Bertin et al.

In response, Applicants respectfully contend that Bertin cannot be used as prior art in rejecting claims of the present patent application, because "[e]ffective November 29, 1999, subject matter which was prior art under former 35 U.S.C. 103 via 35 U.S.C. 102(e) is now disqualified as prior art against the claimed invention if that subject matter and the claimed invention 'were, at the time the invention was made, owned by the same person or subject to assignment by the same person.'" MPEP 706.02(1)(1). First, the present patent was filed on April 17, 2002 which is after November 29, 1999. Second, the Bertin patent is being considered by the Examiner as prior art under former 35 U.S.C. 103 via 35 U.S.C. 102(e), because the the Bertin patent issued on May 14, 2002 which is after the filing date of April 17, 2002 of the present patent application. Third, both the subject matter of Bertin patent and the claimed invention of the present patent application were, at the time the invention was made, owned by International Business Machines Corporation or subject to assignment by International Business Machines Corporation. Accordingly, Applicant respectfully maintains that Bertin cannot be used as a prior art reference.

OK, but still good for 102(e).

CONCLUSION

Based on the preceding arguments, Applicants respectfully believe that all pending claims and the entire application meet the acceptance criteria for allowance and therefore request favorable action. If the Examiner believes that anything further would be helpful to place the application in better condition for allowance, Applicants invites the Examiner to contact Applicants' representative at the telephone number listed below.

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